



**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
EMILIO HERRERA,
Defendant.

Case No. MJ 24-3140
ORDER OF DETENTION

I.

On June 11, 2024, Defendant made his initial appearance on the criminal complaint filed in this matter. Deputy Federal Public Defender, David Menninger, was appointed to represent Defendant. The government was represented by Assistant United States Attorney Diane Roldan. At Defendant's request, a detention hearing was continued to June 13, 2023 and held on that date.

☐ On motion of the Government [18 U.S.C. § 3142(f)(1)] in a case allegedly involving a narcotics or controlled substance offense with maximum sentence of ten or more years.

☒ On motion by the Government or on the Court's own motion [18 U.S.C. § 3142(f)(2)] in a case allegedly involving a serious risk that the defendant will flee.

The Court concludes that the Government is entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as required and the safety of any person or the community [18 U.S.C. § 3142(e)(2)].

II.

The Court finds that no condition or combination of conditions will reasonably assure: ☒ the appearance of the defendant as required.

☒ the safety of any person or the community.

III.

The Court has considered: (a) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device; (b) the weight of evidence against the defendant; (c) the history and characteristics of the defendant; and (d) the nature and seriousness of the danger to any person or the community. [18 U.S.C. § 3142(g)] . The Court also

1 considered the information presented at the hearing, the arguments of counsel, and
2 the report and recommendation prepared by U.S. Probation and Pretrial Services
3 on June 11, 2024 and June 17, 2024..
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5 IV.

6 The Court bases its conclusions on the following:

7 As to risk of non-appearance:

- 8 ☒ family ties outside the Central District
- 9 ☒ history of international travel

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11 As to danger to the community:

12 ☒ allegations involve violent conduct – defendant participated in
13 an armed robbery during which he pointed an AR rifle at victims while his
14 co-defendants smashed and destroyed a business in order to steal jewelry.

- 15 ☒ alleged gang member
 - 16 ☒ Presumption is not rebutted
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V.

IT IS THEREFORE ORDERED that the defendant be detained until trial. The defendant will be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant will be afforded reasonable opportunity for private consultation with counsel. On order of a Court of the United States or on request of any attorney for the Government, the person in charge of the corrections facility in which defendant is confined will deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

[18 U.S.C. § 3142(i)]

Dated: June 17, 2024

/s/

ALKA SAGAR
UNITED STATES MAGISTRATE JUDGE